

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STELAX INDUSTRIES, LTD.

Plaintiff,

v.

WILLIAM DONAHUE, et al.,

Defendant.

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CIVIL ACTION NO. 3: 03-CV-0923-B

MEMORANDUM ORDER

Before the Court is the Submission of the Plaintiff, Stelax Industries, LTD. (“Stelax”) of Affidavits in Support of Damages and Attorneys’ Fees Against Defendant William Donahue (“Donahue”), filed March 29, 2005. For the reasons discussed, the Court GRANTS Stelax’s request for a judgment against Donahue in the amount of \$98,271, which is comprised of \$59,500 in damages and \$38,771 in attorneys’ fees.

I. Background

The Court granted Stelax’s motion for partial summary judgment as to Donahue’s liability on January 7, 2005, and requested that Stelax submit documentation in support of its request for damages and attorneys’ fees. On March 29, 2005, Stelax submitted affidavits in support of its damages claim as well as its claim for attorneys’ fees against Donahue.

II. Damages Request

According to the affidavit of Harmon Hardy (“Hardy”), the Chairman and Chief Executive Officer of Stelax, the Stelax stock Donahue wrongfully sold is worth \$59,500, and represents the amount of damages for which Donahue is liable to Stelax. Because this evidence is unrefuted, and based on its previous grant of summary judgment against Donahue, the Court GRANTS Stelax’s

request for damages in the amount of \$59,500.

III. Request for Attorneys' Fees

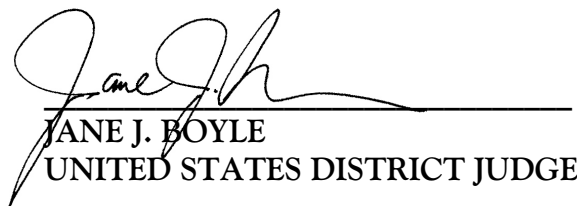
As for attorneys fees, Stelax has submitted the affidavit of Daniel J. Madden ("Madden") an attorney at the firm of David, Goodman & Madole, the firm representing Stelax in this case. Stelax has also submitted detailed billing statements supporting its claim against Donahue for attorneys' fees.

The Defendants seek reimbursement for \$38,771 in fees paid to five different attorneys and two paralegals at the law firm of David, Goodman & Madole. (Madden Aff. at 2). The attorneys worked at hourly rates ranging from \$325 down to \$140 and the paralegals at \$115.00 down to \$110.00, representing Stelax in this case. (*Id.*). The Court has reviewed Stelax's summary of attorneys' fees and expenses and finds that the amounts requested are fair and reasonable. Furthermore, Donahue has not objected to Stelax's submission of fees and costs. Accordingly, the Court GRANTS Stelax's request for attorneys' fees in the amount of \$38,771.

III. Conclusion

For the foregoing reasons, this Court **GRANTS** Stelax's request for a judgment against Donahue in the amount of \$98,271. It is **ORDERED, ADJUDGED AND DECREED** by the Court that Judgment is entered in favor of Plaintiff Stelax against Defendant William Donahue on its claims against Donahue in the amount of \$98,271. It is further **ORDERED** that this sum be paid within 30 days of the date of this order.

SO ORDERED, May 25TH, 2005.


JANE J. BOYLE
UNITED STATES DISTRICT JUDGE

